

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NANCY PASQUALE,

Plaintiff,

v.

GENERAL SCIENCES, INC.,
PETER ZAVITSANOS,
ALICE ZAVITSANOS and
EVELYN DOWNS,

Defendants.

CIVIL ACTION

No. 09-1735

ORDER

_____**AND NOW**, this 19th day of April, 2010, after a hearing in open court and upon consideration of Defendants' Motion for Summary Judgment Regarding Number of Employees (Doc. No. 10), and the Responses and Replies thereto, it is hereby **ORDERED** that:

- (1) Defendants' Motion is **GRANTED**;
- (2) Count I of Plaintiff's Complaint is **DISMISSED WITH PREJUDICE**;
- (3) Counts II, III and IV of Plaintiff's Complaint are **DISMISSED WITHOUT PREJUDICE**;
- (4) Defendants' Motion for Partial Summary Judgment for Claims Barred by Applicable Statute of Limitations (Doc. No. 18) is **DENIED AS MOOT**; and
- (5) Defendants' Motion for Summary Judgment for Failure to

Establish a Prima Facie Case (Doc. No. 20) is **DENIED AS
MOOT.**

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE